

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

JOCELYN KOPAC,

Plaintiff,

v.

AMERICAN HIGHER EDUCATION
DEVELOPMENT CORPORATION d/b/a
ROCKFORD CAREER COLLEGE,

Defendant.

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No. 3:25-cv-50123

COMPLAINT

COMES NOW Plaintiff, Jocelyn Kopac, by and through her attorneys, Mahoney Law Firm, LLC, and for her Complaint against Defendants, American Higher Education Development Corporation d/b/a Rockford Career College, states as follows:

GENERAL ALLEGATIONS

1. At all times relevant herein, Plaintiff, Jocelyn Kopac, was a resident of Winnebago County, Illinois and citizen of the State of Illinois.

2. At all times relevant herein, Defendant, American Higher Education Development Corporation d/b/a Rockford Career College (“AHED”), was and is a Delaware corporation; was headquartered in Princeton, New Jersey; with its principal place of business in New Hope, Pennsylvania; was duly registered to conduct business in the State of Illinois; was conducting business in the State of Illinois; and continues to transact business in the State of Illinois, including Winnebago County, State of Illinois.

3. At all times relevant herein, Defendant, AHED, owned and operated within its corporate structure, a college known as Rockford Career College located at 1130 S. Alpine Road, #100, Rockford, Illinois, (“Rockford Career College”).

4. At all times relevant herein, Plaintiff, Jocelyn Kopac, was working as an employee for Defendant, AHED, at Rockford Career College, and Defendant, AHED, was Plaintiff's direct employer at the time of the events alleged herein.

5. At all times relevant herein, Defendant, AHED, employed Michael Whitaker ("Whitaker") and Guy Olsen ("Olsen") at Rockford Career College.

6. At all times relevant herein, Whitaker and Olsen were acting within the course and scope of their employment with Defendant, AHED.

7. On or about January 23, 2023, Plaintiff, Jocelyn Kopac, was hired by Defendant, AHED, to work at Rockford Career College as an Admissions Advisor.

8. On or about March 2023, while Plaintiff was giving a tour of the campus to potential students at Rockford Career College, she overheard Whitaker discussing with his class about going home to "jerk off" to her.

9. At or about that time, Plaintiff verbally reported this incident to the President of Rockford Career College.

10. On or about June 2023, Whitaker came up behind Plaintiff and rubbed his hands up and down her body.

11. At or about that time, Plaintiff verbally reported this incident to the President of Rockford Career College.

12. On or about July 2023, Whitaker made an offensive comment to Plaintiff about another teacher divorcing his wife because she would not touch his balls.

13. At or about that time, Plaintiff again verbally reported this incident to the President of Rockford Career College.

14. Despite Plaintiff verbally reporting Whitaker's ongoing sexually harassing and inappropriate offensive conduct, Defendant, AHED, failed to take reasonable corrective measures to ensure the conduct did not continue resulting in Plaintiff being continually sexually harassed by Whitaker eventually culminating in an offensive touching.

15. At all times relevant herein, Plaintiff made clear to Whitaker that his inappropriate sexual comments, sexual advances, and offensive touching were unwelcome.

16. Beginning in May 2023 and continuing through August 2023, Olsen also made sexually harassing and offensive comments to Plaintiff about her body and appearance on nearly a daily basis, such as "Girl, you look so fine," or "I see you wearing those sexy heels."

17. On one occasion during the aforementioned timeframe, Olsen pulled up next to Plaintiff at a stoplight near Rockford Career College and asked her to roll down her window. When she did, he pointed to his crotch and raised his eyebrows towards her implying she should give him oral sex.

18. At or about that time, Plaintiff verbally reported Olsen to the Vice President of Rockford Career College.

19. Upon information and belief, prior to May 2023, Olsen had previously engaged in sexually harassing conduct towards other female employees while he was employed by AHED and this had been reported to Defendant, AHED.

20. Despite having the foregoing knowledge of prior inappropriate offensive conduct, Defendant, AHED, failed to take reasonable corrective measures to ensure the conduct did not continue resulting in Plaintiff being sexually harassed by Olsen.

21. At all times relevant herein, Plaintiff made clear to Olsen that his inappropriate sexual comments, sexual advances, and sexual gestures were unwelcome.

22. On or about August 5, 2023, after Defendant, AHED, repeatedly failed to take any action in response to Plaintiff's verbal complaints, Plaintiff emailed the President of Rockford Career College regarding the foregoing conduct of Whitaker and Olsen.

23. Following Plaintiff's reporting of the foregoing sexual harassment, Plaintiff faced retaliatory conduct from her coworkers and supervisors at Rockford Career College and she was subjected to a hostile work environment on a daily basis.

24. Upon information and belief, despite substantiating Plaintiff's allegation of a non-consensual touching by Whitaker, Defendant, AHED, only issued a written reprimand to Whitaker but did not terminate his employment.

25. Upon information and belief, following Plaintiff's reporting of the foregoing sexual harassment by Olsen, Defendant, AHED, did not issue any discipline to Olsen.

26. On or about October 10, 2023, Plaintiff resigned from her employment with Defendant, AHED.

JURISDICTION & VENUE

27. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 because this is a civil action arising under the laws of the United States.

28. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) in that a substantial part of the events or omissions giving rise to the claims herein occurred in the Northern District of Illinois.

COUNT I

Violation of Title VII of the Civil Rights Act of 1964 – Sexual Discrimination/Harassment Jocelyn Kopac v. American Higher Education Development Corporation

COMES NOW Plaintiff, Jocelyn Kopac, by and through her attorneys, Mahoney Law Firm, LLC, and for Count I of her Complaint against Defendant, American Higher Education Development Corporation d/b/a Rockford Career College ("AHED"), states as follows:

29. Plaintiff hereby incorporates Paragraphs 1 through 28 herein as though fully set forth hereunder.

30. At no time did Plaintiff consent to the aforementioned sexual harassment, sexual advances, sexual assault, or sexual battery by Whitaker and at no time was any of the intentional and unlawful conduct set forth herein justified.

31. At no time did Plaintiff consent to the aforementioned sexual harassment and sexual advances by Olsen and at no time was any of the intentional and unlawful conduct set forth herein justified.

32. The aforementioned conduct was related to sex, severe, physically threatening and humiliating, and unreasonably interfered with Plaintiff's work performance.

33. At all times relevant herein, despite having prior knowledge of inappropriate offensive conduct towards female employees by Olsen, Defendant, AHED, failed to take reasonable corrective measures to ensure the conduct did not continue, thereby actively encouraging a culture where this behavior was acceptable without fear of repercussions.

34. At all times relevant herein, despite having prior knowledge of inappropriate offensive conducts towards Plaintiff by both Whitaker and Olsen, Defendant, AHED, failed to adequately supervise and/or monitor Whitaker and/or Olsen when they were working around or near Plaintiff, when Defendant knew or should have known that they would continue to engage in sexually harassing behavior towards Plaintiff.

35. At all times relevant herein, management for Defendant, AHED, failed to adequately investigate Plaintiff's verbal complaints or reports of sexually harassing or offensive conduct by Whitaker and/or Olsen, thereby allowing the conduct to continue.

36. The aforementioned conduct altered the terms and conditions of Plaintiff's employment.

37. The effect of the practice(s) complained of above has been to deprive Plaintiff of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex.

38. The unlawful employment practices complained of above were intentional.

39. The unlawful employment practices complained of above were done with malice or with reckless indifference to the statutorily protected rights of Plaintiff, Jocelyn Kopac.

40. At all times relevant herein, Defendant, AHED, has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e (b), (g) and (h).

41. At all times relevant herein, Whitaker was an employee of Defendant, AHED, within the meaning of Section 701(f) of Title VII, 42 U.S.C. § 2000e (f).

42. At all times relevant herein, Olsen was an employee of Defendant, AHED, within the meaning of Section 701(f) of Title VII, 42 U.S.C. § 2000e (f).

43. Based on the extreme and outrageous conduct outlined above, Whitaker, as agent and employee of Defendant, AHED, sexually harassed and sexually assaulted Plaintiff, and as a result of management's failure to act in the face of knowledge of Whitaker's unlawful conduct prior to June 2023, Defendant, AHED, has violated Title VII of the Civil Rights Act of 1964.

44. Upon information and belief, despite a previous complaint of sexual harassment and/or similar inappropriate conduct towards female employees committed by Olsen, Defendant, AHED, failed to take appropriate corrective action to end the acts of sexual harassment and/or inappropriate conduct. As a result of the above knowledge and failures, Plaintiff was sexually

harassed by Olsen, and Defendant, AHED, has violated Title VII of the Civil Rights Act of 1964 and is liable to Plaintiff for damages she suffered as a result of its inaction in the face of knowledge of the conduct complained of.

45. As a result of Defendant's failure to take appropriate corrective action after Plaintiff's reporting acts of sexual harassment by Whitaker and Olsen, Defendant, AHED, has violated Title VII of the Civil Rights Act of 1964 and is liable to Plaintiff for the damages she suffered as a result of its inaction in the face of knowledge of the conduct complained of.

46. As a direct and proximate result of the aforesaid acts, Plaintiff was discriminated against in the terms of her employment on the basis of sex by Defendant, AHED, in violation of Section 703(a) of Title VII, 42 U.S.C. §2000e-2(a).

47. Prior to the institution of this lawsuit, Plaintiff filed a charge with the Equal Employment Opportunity Commission alleging violations of Title VII by Defendant, AHED and has received her Notice of Rights, and therefore, all conditions precedent to the institution of this lawsuit have been fulfilled.

48. As a further direct and proximate result of Defendant AHED's violation of Title VII of the Civil Rights Act of 1964, Plaintiff was forced to endure multiple acts of sexual harassment by Whitaker and Olsen and a hostile work environment; Plaintiff has also suffered severe emotional distress; she has lost wages and benefits she would have otherwise received, but for the sexual harassment by Defendant; and may suffer such loss of wages and benefits in the future; she has experienced severe mental anguish, depression, and emotional distress in the past and may continue to suffer the same in the future; she has suffered a loss of enjoyment of a normal life as a consequence of her emotional injuries and she has lost her ability to engage in the same kinds of normal activities, all to her damage.

WHEREFORE, Plaintiff, Jocelyn Kopac, requests that judgment be entered on her behalf against Defendant, American Higher Education Development Corporation d/b/a Rockford Career College, for actual damages in a sum in excess of Seventy-Five Thousand Dollars (\$75,000.00), and for costs of suit and attorneys' fees.

Respectfully submitted,

By: /s/ Leigh M. Perica

Leigh M. Perica, #6316856

Ryan J. Mahoney, #6290113

MAHONEY LAW FIRM, LLC

2220 S. State Route 157, Suite 250

Glen Carbon, IL 62034

Telephone: 618-961-8288

Facsimile: 618-961-8289

leigh@themahoneylawfirm.com

ryan@themahoneylawfirm.com

Attorneys for Plaintiff